PLAISTOW AND IFOLD PARISH COUNCIL



CLERK'S REPORT

BUSINESS TO BE TRANSACTED

Number Item Time

1. Apologies for absence & housekeeping

1 min

Apologies have been received from Cllr. Ribbens, Cllr. Colmer, Cllr. Bushell and Cllr. Taylor.

The meeting is recoded for internal minute taking purposes only and is not available to the public.

Co-option procedure to fill a casual vacancy.

6. To receive written application(s) for the office of Parish Councillor and to Co-opt a candidate to fill the existing vacancy.

1 min

One (1) application has been received from Mrs Angela Jeffery of Plaistow to fill this casual vacancy. The application form was circulated to Members via email on 8th June.

The Parish Council is not obliged to fill the vacancy. It is against the <u>Person Specification</u> that a new Member is appointed.

7. Resolve to adjourn the meeting to allow candidate(s) to present themselves to Members and answer questions (the meeting will reconvene at item 8 below)

5 mins

The adjournment means that a minute is not taken, and the Parish Council's Standing Orders are suspended.

It is not a mandatory requirement for Mrs Jeffery to address Members, particularly if she is not intending to provide any new information from her paper application. Councillors can ask Mrs Jeffery questions regarding her application.

Members are advised to think of their question(s) in advance. The Person Specification should be used to direct question(s) to ascertain information not borne out by the paper application itself. Councillors are essentially a team, which deliver the Parish Council's aims and objectives. The 'Team' should represent and reflects the community it serves and have a diverse range of skills and expertise.

8. Exclusion of the Press and Public –

2 mins

<u>To consider whether</u> to exclude the Press and Public from the meeting during the consideration of item 9 below in accordance with S1(2) of the Public Bodies (Admissions to Meetings) Act 1960 on the grounds that it may involve the likely disclosure of exempt information.

NALC's Best Practice advise is that Members' deliberations should be held in public to ensure the business and decision making of the Parish Council is open and transparent. Nevertheless, the NALC/WSALC Co-Option Policy, which the Parish Council has adopted, provides for the exclusion of the press and public (which includes the candidate themselves) due to the inevitable disclosure of confidential information entering the public domain. It is therefore the Clerk's recommendation to resolve to exclude the press and public for the duration of item 9 of the agenda.

Even if there are no press and/or public present it is advisable to make this resolution, as it means that the Parish Council can lawfully exclude any 'late comers', who would otherwise be admitted to the meeting at this juncture and the candidate themselves.

9. **Deliberation of candidate(s)**

5 mins

Subject to the Parish Council's decision at item 8 above, this element of the meeting can be conducted in either public or private.

The minute will be minimal and bland: "Members considered the applicant against the Person Specification"

10. Voting by way of signed ballot and results

5 mins

(If elected, a new Councillor will sign their Declaration of Acceptance of Office and take their seat immediately)

The Clerk, acting as Returning Officer, will ask Members to propose and second Mrs Jeffery before voting. This does not reflect the way those Members vote.

Each Member will receive a ballot paper. To vote in favour of election of Mrs Jeffery, a Councillor must sign their name in the space provided. They leave the space empty if they do not wish to vote for her election. An 'X', or any other mark, spoils the ballot paper and that Member's vote will be discounted. Members can vote regardless of existing personal friendships, or association. The vote is confidential; the only person privy to Councillors' individual votes is the Clerk, as Returning Officer.

The Returning Officer collects up the ballot papers and tallies up the votes and advises of the results. To be Co-Opted, Mr Jeffery needs an absolute majority of votes cast (50% + 1 of the votes available at the meeting); or if 'hung' the Chair gets the casting vote.

If the votes are evenly split, the Chair's casting vote is not private. The Chair declares the outcome.

If successfully elected Mrs Jeffery may, after signing her Declaration of Acceptance of Office, take a seat immediately. However, until she has returned her Declaration of Interests form (up to 28 days from election) she is not permitted to vote.

The voting results will be appended to the minutes of the meeting as Appendix A.

11. Financial Matters

5 mins

1. Order for Payments

Financial Report for May - June (up to 15.06.2021) See <u>Appendix</u> <u>A</u> Includes income and expenditure since the last Council meeting on 28.04.2021.

Recommendation: -

- a. To note the Order for Payments
- b. To approve the expenditure listed
- c. To note the VAT return

The Clerk will continue to circulate the Order for Payment after the meeting via Secured Signing. This promotes a paperless office and documents can more easily be published on the website.

2. Internal Audit Report

Recommendations:-

- a. To note the final report from the Internal Auditor (<u>Appendix</u>B)
- b. To review the effectiveness of its system of internal control. 11(2)(b) can be deferred to a future meeting.

This review should be undertaken annually. The Clerk is preparing an over-view document, which draws together the various processes outlined in the Financial Regulations, Standing Orders, legislation, Audit Regulations, and other best practice. This new document will allow the Council to easily review its system of internal controls. The document will be presented to the Financial Steering Group (FSG) for consideration at its next meeting (July, First Quarter review meeting) and presented to the full Council, with the FSG's recommendations, in due course.

Annual Governance and Accounting Statement 2020/21 (Appendix C)

Recommendations:-

 a. To agree the Annual Governance Statement 2020/21.
 (Section 1 of the Annual Governance and Accountability Return (AGAR))

- b. To agree that the Annual Governance Statement 2020/21 be signed by the Chairman and Clerk.
- c. To agree the Accounting Statement 2020/21 (Section 2 of the AGAR).
- d. To agree that the Accounting Statements 2020/21 be signed by the Chairman.
- e. To note additional information to be submitted to the external auditor in support of the AGAR (<u>Appendix D</u>).
- f. To adopt the dates for the period of exercise of public rights from 25th June 2021 to 5th August 2021 inclusive.

4. Cyber Insurance & emails

Recommendations: -

a. To consider and resolve upon if necessary for all Parish Council personnel to have designated email addresses provided through TEEC.

Councillors are asked to read the below in conjunction with the Information Commissioner's Office factsheet for the use of personal emails and devices (emailed to Members separately).

In conjunction with the consideration to take out Cyber Insurance (see (b) below) the Parish Council's Insurance company has recommended that those undertaking Parish Council work via a personal email address use a multi-factor authorisation to access their emails and a strong unique password, which is changed every 3 months. This recommendation should be considered in combination with the Information Commissioner's Office factsheet.

The Parish Council currently pays TEEC £240pa (net) (£20pm) for website hosting and fifteen (15) Parish Council email addresses:

[first name].[surname]@plaistowandifold.org.uk

With a full complement of Councillors (11) and the Clerk there are three (3) Council email addresses 'spare'. However, a further one (1) is currently being used by the LCAC Scheme. Therefore, there are two (2) 'spare' addresses which the Clerk recommends are allocated, as a priority, to Co-Opted Members Mrs Burrell (Chair of the Neighbourhood Plan Steering Group) and Mr. Pearce (who sits on both the Planning & Emergency Committees). However, the Parish Council currently has six (6) Co-Opted Members.

TEEC's Premium package is £360pa (net) (£30pm) for unlimited email addresses. The Council would also benefit from the following additional support:

* Virtual Clerk Support - Virtual Clerk provides the Councillors and Clerk with hands on support for the website - 30 mins per month.

* Monthly (rather than our current quarterly) OWASP Site Security Scanning (automated tools that scan web applications, normally from the outside, to look for security vulnerabilities)

Please see below for the Clerk's overall recommendation.

b. To consider and resolve upon if necessary for the Parish Council to take out cyber insurance.

The Clerk has been looking into Cyber Insurance to protect the Parish Council's online and other computer systems in the event of a 'cyberattack'. Cyber Insurance is taken out separately to the 'standard' insurance package offered to Councils. The annual cost of the cyber insurance being offered by the Council's current Insurance provider, Came & Company Local Council Insurance, is £319.20pa which includes the Insurance Premium Tax.

A prerequisite to this cyber insurance is to install and maintain on the Parish Council 'network' a commercial grade fire wall and antivirus solution. The cyber insurance package includes 30 antivirus licenses; any additional licenses are c£40.

The Parish Council's 'network' is any device that connects to other devices as part of the Council's activities, regardless of whether personal or Council owned. The only Council owned device is the Clerk's laptop. All other hardware used for Parish Council business is personally owned by Councillors/Co-Opted Members. All computer hardware used by staff, Councillors and Co-Opted Members (computers / laptops / tablets) would need to be protected by this commercial grade fire wall and antivirus solution for the insurance to be valid. Mobile phones are exempt. Therefore, for example, if a Councillor uses multiple devices to undertake Parish Council work e.g., a home computer, laptop, tablet and a work computer, all devices would need the antivirus solution installed. Each installation would use up one (1) license. Therefore, to avoid the need to purchase additional licenses and to better control the Council's 'network', it is advised that Parish Council work is undertaken on a limited/controlled number of devices. All Co-Opted Members would require this antivirus solution and any device used for Council business which is not protected would invalidate the insurance. The IT of any third-party company instructed by the Council does not form part of the network.

However, the licenses can be reassigned once a Councillor/Co-Opted Member is no longer working with the Council.

The antivirus software supports Windows PCs, Windows 7, SP1 or higher (32-bit, 64-bit), Windows 8/8.1, except RT & Starter edition (32-bit, 64-bit), Windows 10, except Mobile & IoT core edition (32-bit, 64-bit).

The Insurance company cannot guarantee that the commercial grade fire wall and antivirus solution will not interfere with the lawful and legitimate use of a personal devise. It is possible that the Firewall may block certain web sites that are not certified or could pose a threat to the network.

The Clerk recommends that an email/device audit is undertaken, following the guidance within the Information Commissioner's Office factsheet, and the full Council considers this matter at its July meeting along with the budget considerations.

This is a balancing act to ensure that the Council does due diligence to protect itself and the information it holds, which is proportionate to the business nuances of this particular Council and public funds.

13. Public Consultation (concludes 21st June)

5 mins

Recommendation: - To receive an update and initial results analysis.

The Parish Council thanks Cllr. Bushell and his team, particularly Erica Healy, at Sports Marketing Surveys for their help and support with the public consultation. The consultation concluded on Monday 21st June. Cllr. Bushell has sent his apologies for the meeting. At the time of drafting this Report, an initial analysis has not been undertaken. The Clerk will update the meeting if information becomes available. Alternatively, this matter can be deferred to the July meeting.

14. 2021/22 New Homes Bonus project

5 mins

Recommendation: - To agree the 2021/22 NHB project.

The two (2) NHB projects being considered, to be supported (or otherwise) by the results of the public consultation are a layby extension along Common House Lane, Plaistow and/or the installation of a public convenience at the cricket pavilion, Plaistow. Please refer to pages 11-13 of the <u>Clerk's Report for 28th April</u> and <u>C/21/077</u> of the corresponding minutes for further information.

Due to the complexities of the NHB application and the relatively limited timescales (end of July), the Clerk has begun to investigate both projects concurrently. The National Trust owns key areas of land for both projects and their permission, and the requisite legal documentation, is required to progress either project. The National Trust has provisionally agreed to both projects and a site visit is the next step between the Clerk and the National Trust. A gratis survey and toilet design is being progressed by Mrs Burrell for the Council's consideration. Cllr. Jordan and Mrs Burrell are collaborating to undertaking a Scope of Works/ Work Specification for the pavilion project, to be used by the National Trust, Southern Water and to obtain contractors quotes. The Clerk and Cllr, Jordan are liaising with Southern Water in relation to foul and mains water connectivity.

WSCC Highways have been contacted regarding the layby extension and have advised as follows:

Re: Enquiry 3043496 Common House Road, layby / parking area proposal

Thank you for your enquiry. One of the first considerations would be that you would need to establish if you would need planning permission from the Planning Authority (District Council).

If planning permission is required which I suspect, then you would need to commission a highway consultant to undertake a feasibility assessment and provide detailed design plans. The detailed design plans would need to comply with current design standards and code of practice (design manual for streets). It is also highly likely that you would need an arboriculturist assessment due to proximity of trees, as well as a stats assessment.

If planning was approved and we were happy with the proposal, then you would need to apply for a S278 agreement. However, I should point out that there is a minimum cost associated with these agreements which if I recall correctly is set at around £3,000.

Further information regarding S278 can be found by following the link provided...

https://www.westsussex.gov.uk/roads-and-travel/information-for-developers/road-agreements/

If the proposal did prove to be feasible and the required permissions can be obtained, then any intervention would be subject to a number of safety audits to ensure that any proposal was safe.

Whilst I do understand the rationale behind this request, personally I think that you will struggle to achieve the required design specifications in order to achieve a designated parking area that would comply with the current design standards; this is partly due to embankment and established trees. I should add that any intervention could be prone to root heave, and that this could cause problem for future maintenance, consequently you could end up spending money on commissioning a consultant only to find out that the project may not be feasible for the reasons specified in this email.

I know that this is not the answer you may have been hoping for, but I hope that the information is helpful and gives you some insight into our processes.

Simon Watts, Traffic Consultant has advised:

problem The trees are definitely а potential any excavation/construction within the Root Protection Area (RPA) could kill or at least undermine the stability of the trees. From experience elsewhere it is very likely the trees would need to be removed because of the risks of causing root damage and the safety risks of them fall down. You would need to find an arboriculture specialist to advise on this aspect. The engineering design is not complicated but would need to comply with WSCC adoptable highway standards and go through all the approval steps outlined by [WSCC Highway].

Subject to some limited further investigations, an extension to the layby is unlikely to be feasible. The trees in question are mature Oaks and therefore cannot be removed. The costs involved to undertake the investigative works just to obtain planning consent e.g., an arboriculture survey / highway consultant's fee need to be proportionate to the likely success of the project. However, both WSCC Highways and Mr Watts have indicated that the layby extension is unlikely to meet Highways Standards and therefore planning would be ultimately refused. It would therefore be an irresponsible use of public funds to progress these.

Given the time constraints to submit the NHB application (end of July) and the ongoing complex works required with either project, the Clerk recommends that this year's NHB application be to continue the Safer Bus Stop project of installing a shelter in Plaistow and a new shelter and entrance rejuvenation at The Drive, Ifold. This was the Parish Council's successful NHB application last year. The Parish Council has three years to spend the grant and can apply for NHB funds in relation to the same project over multiple years. The pandemic has significantly interfered with the delivery timetable; however, it is hoped that work can begin on this project later this year. The Parish Council was always going to have to commit some funding to the project to cover the shortfall between last years NHB grant amount and the total cost of shelter material. Likewise, whilst grants for plants and volunteer help will be utilised for the bus stop rejuvenation project, there are associated costs in terms of the design. Therefore, additional grant funding from the 2021/22 NHB scheme could see this project delivered with potentially no cost to the Parish Council. This would allow the Council to divert some, or all of the £4,000 ringfenced budget for the rejuvenation project to other projects, such as the pavilion toilets.

The Clerk will continue to work with the other agencies/organisations/individuals in relation to the pavilion and layby

projects to be able to present these to the full Council in due course. The Council can then, supported by the results of the public consultation, look to budget and timetable these projects at its leisure.

15. Lady Hope Playpark

5 mins

Recommendation: -

- a. To note the 2021 RoSPA Safety Inspection Report (<u>Appendix</u>E)
- b. To agree any necessary remedial works
- c. To receive a loan application update

The loan application has been with the Secretary of State for Housing, Communities and Local Government since mid-February. It can only be 'chased' on our behalf by the County Officer of our County Association, Trevor Leggo (WSALC). Mr Leggo has been 'chasing' for many weeks and is now on annual leave. The Clerk will continue to liaise with Mr Leggo and keep the Council updated.

The fencing at the Playpark has already been fixed by Cllr. Jordan.

Members need to consider ensuring that the playpark is safe to use during the summer / school holidays whilst we await the loan and can begin the works.

Areas to look at in relation to the RoSPA report include entrapment on sides of gates and the spring closing mechanisms for the gates, as these will not be remedied by the pending rejuvenation works. Matting which represent trip hazards can be pinned down as a temporary measure. Oil the barrel roller. Multi-play tower — consider the recommended remedial elements that can be undertaken by a competent 'D.I.Y Member'. If adequate remedy cannot be achieved for minimal cost, consider removal of the item pending the playpark refurbishment.

16. Pavilion Bench

3 mins

Recommendation: -

- a. To receive an update regarding the condition of the bench.
- b. To agree to situate the VE Day 75 commemorative bench outside the pavilion.
- c. To agree to instruct someone local to install the bench.

The bench situated outside of the pavilion is rotten. It was looked at by the Clerk and Cllr. Whitehouse recently when the scrap metal was removed from the Green. The VE Day 75 commemorative bench is currently inside the pavilion; it was being stored by former Member Jamie King-Wilson, however he has since moved house and needed to return the bench to the Council for storage. The bench was earmarked for the lower green by the silent soldier. However, the National Trust need to give permission to locate and secure it. Currently, the NT have not done so. The pavilion bench is frequently used by the public; it is also

Parish Council owned land. In light of the poor state of repair of the existing bench and the need to find the VE Day bench a home, the Clerk recommends it be located at the pavilion. Mr Luck has previously installed Council benches for c£50. The Council has budgeted £650 this year for benches, including maintenance.

17. Annual Assembly

2 mins

Recommendation: -

c. To agree a date for the Annual Assembly

The Clerk recommends a date in September or October and suggests that the existing Newsletter Steering Group, who have assisted with the Consultation, help to organise the event — much of the event will be consistent with/dictated by newsletter material i.e., promoting the Council's work/projects. Consider the Annual Assembly as a 'living newsletter'!

18. Decisions made by delegated power since 28th April 2021 for ratification.

2 mins

Decisions made: -

 To instruct Andrew Gale to undertake a tree survey at the Winterton Hall, including the Pre-School Garden due to reported concerns to the WHMC, Parish Council and Pre-School regarding Ash Die Back at the site.

The Council, WHMC and Pre-School have all received reports from MOP that some of the trees, particularly within the garden area, are in poor condition. The Chair and Clerk authorised the survey (£200 net). The Council has budgeted £3,000 for tree works this financial year. Andrew Gale will survey all trees on the site and advise what works are needed (if any). The WHMC have advised that they will contribute to the cost of any tree works identified. It is good practice for the Council to commission a Tree Survey of the trees it owns every 18 months-3 years depending on their situation i.e., close to roads/playparks etc. Given the proximity to a community building and the pre-school garden, it is prudent that the Council understands the condition of the trees on the site to ensure the building and people's safety. The survey was due to be undertaken on Friday 18th; however, was called off due to the weather. It was rescheduled for Monday 21st June. The Clerk is awaiting the report.

2. To renew the Parish Council's Insurance with Came & Company

19. **Lagoon 3**

3 mins

Recommendation: -

 To receive an update regarding the expiration of the Enforcement Notice and the LPA's next steps

Following a meeting between CDC and Kirdford and Plaistow & Ifold Parish Councils on 25th May, the Clerk is able to notify as follows:

- The Public Right of Way around Lagoon 3 (L3) will remain closed.
 WSCC's PROW response
 was published on the Parish Council's website on 2nd June. The closure is for safety reasons and to avoid a yo-yo 'open/close' effect when remediation works begin on the lagoon.
- The sale of L3 has fallen through.
- An offence has now been committed by Mr Luttman-Johnson, as the date by which the remediation works should have been completed has now passed.
- CDC will begin to draft the legal paperwork to be lodged at the Courts (via their legal team)
- Mr Luttman-Johnson has intimated that he will test L3's content.
- CDC recognises the "considerable uncertainty" regarding L3 in the short/medium/longer term – prosecution does not compel compliance (fine and/or imprisonment). The legal process must now unfold, and CDC are beholden to Court dates/process timescales.
- Direct Action is an option open to CDC i.e., the cost of full remediation is taken up by CDC. However, this would be a very last resort, to be agreed by the full Council and would involve significant costs which would have to be justified within the whole of the Chichester District area.
- CDC will update its Planning Committee and set out actions and future options and will ask the Planning Committee's views.
 They will likely report to Cabinet and Full Council, especially is Direct Action is to be considered.
- The Environment Agency can permit spreading to land of the content of L3, subject to testing the material. However, this is a slow process due to spreading within the correct seasons and a limited amount of digestate can be spread on the land at any one time/within a season.
- L3's continued presence/risk is a material consideration for CDC in terms of any planning applications regarding adjoining land.
- CDC confirmed that there is no lawful mechanism for them as LPA to negotiate with a third-party non owner of L3 to undertake the remediation works in exchange for planning permission.

20. Correspondence

Recommendation: - To consider any correspondence not listed as an agenda item for discussion, including:

- a. The next All Parishes Meeting will be held on Thursday 9 September 2021 at 5.30pm via Zoom.
- b. Badger Fit requests permission to use the lower green to host 'Rusty Runners' sessions.
- c. Thanks from Alan.
- d. WSCC PRoW Team update (see Appendix F)

Since drafting the agenda, Kirdford Parish Council have advised that they will be organising celebrations for the Queen's Platinum Jubilee in the village for Saturday 4th June 2022. Given how inextricably linked our two communities are, it would be helpful to complement rather than compete. Therefore, Plaistow and Ifold Parish Council plans should be organised on a different day and/or at a different time. It has been announced that an extended bank holiday, from Thursday 2nd to Sunday 5th June, will provide an opportunity for communities and people throughout the United Kingdom to come together to celebrate the historic milestone of The Queen's 70 years of service. The Clerk recommends that consideration is given to using the Annual Assembly as this year's 'event' and allocating the lions share of the budgeted £2,500 for a community event to the marking of this historic milestone. Likewise a Steering Group be set up to plan and deliver this event, in conjunction with the other groups and businesses within the Parish including the schools and pub.

The School have asked permission to host their year 6 leavers party on the village green from 1pm onwards on Friday 23 July; to include use of the water for an 'ice bucket challenge' and possibly the use of the pavilion itself for teas/coffees etc.

The following update has been received from District Cllr. Evans regarding the VDS:

Dear Gareth,

Apologies for not emailing you at the end of last week, I did say I would update you following a meeting with Toby Ayling the divisional manager of planning policy.

The Conservation and Design team has been under intense pressure over the last 6 months and has an existing schedule of urgent work related to the upcoming Local Plan as well as our development management responsibilities. As such we are currently going through a prioritisation process with Andrew Frost to determine the specific outcomes required up to the end of 2021.

Once this is completed we will be in a position to come back to you and advise of when we aim to move the VDS through the process to adoption. We hope to come back to you this week.

Regards

Chichester Community Conference: Planning, Environment and Infrastructure – 25th June, 3pm-5pm via Zoom.

Gillian Keegan MP has brought together an expert panel to answer questions on key local issues around local planning, development, infrastructure and environmental concerns.

North Parish meetings

Kirdford and Loxwood Parish Cllrs discussed a joint meeting arrangement and the following points came out of this meeting:

Generally they are in agreement that resurrecting these meetings (north Parishes) would be a good thing. They discussed the potential Agenda and all agreed that the main item on the Agenda would be planning. In particular, the new developments that are proposed; issues with Natural England and water neutrality; CDC Local plan; Definition of service villages; Parish Neighbourhood Plans etc.

Also discussed was the potential allocation of budgets to create a war chest for any joint legal challenges or judicial reviews that may be required in the future.

Other Agenda items could include Traffic; Loxwood Clay Pit; Crouchlands; Southern Water; Broadband; Schools; Doctors Surgeries.

With a view to setting up an initial meeting the Council has been asked to respond accordingly:

- 1) ZOOM or face to face
- 2) No. Councillors from each Parish (Clerk also if available)
- 3) Daytime or evening
- 4) Date in July that is convenient
- 5) Other issues you would like on the first agenda.

The Clerk recommends that this meeting is attended by Cllr. Jodan, Cllr. Capsey and Mrs Burrell, as Chair of the NPSG and <u>appointed assistant</u> in relation to the forthcoming Crouchland Farm Planning Applications.

WHMC AGM

Please note that, due to the recent delay in Covid-19 restrictions being lifted, the WHMC AGM will now be held on Wednesday 28th July at 7pm.

21. Clerk's update

3 mins

Recommendation: - To receive general updates and resolve to act upon any matters arising.

a. Steering Groups

Deferred to the next meeting.

b. PVT AGM update

Cllr. Capsey to update.

c. CDALC updated constitution.

Deferred to the next meeting.

d. Kelsey Hall event on 10th July

This event has been postponed. The management committee are now looking at the possibility of 24th July, but it has not been set in stone. The Council has been asked to confirm that it is able to attend on this date.

e. Newsletter Steering Group meeting

22. Items for inclusion on a future agenda

1 min

Recommendation: - To notify the Clerk of any matters to be added to a future agenda.

23. **July Meeting Dates**

1 min

<u>All</u> meetings in July will take place at KELSEY HALL, IFOLD

7th July, 19:30 – Planning & Open Spaces Committee

14th July, 19:30 - Full Parish Council Meeting

28th July, 19:30 - Planning & Open Spaces Committee